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Gay's fight with CIA dismissed by judge

A federal district judge Wednesday dismissed the case of a Mountain View engineer who claimed that the CIA blocked his application for a high-level security clearance because of his homosexuality.

Richard Gayer, a circuitry designer for GTE-Sylvania Products Corp. in Mountain View, had been stymied by the government's position that any public response to the lawsuit would reveal state secrets.

Gayer, who also is a lawyer and is representing himself, had asked U.S. District Judge Spencer Williams to postpone any decision until the 9th U.S. Court of Appeals rules on another motion made by Gayer. Williams instead dismissed Gayer's case.

The federal appellate court is considering Gayer's request that he be allowed access to the government's reasons for secrecy.

That ruling, Gayer said after Wednesday's dismissal, could come at any time in the next month.

In August 1982, Gayer, who already holds a lower-level security clearance, had applied for a "need to know" clearance. His application was pulled by the CIA the next month. Gayer's suit had asked that the agency be forced by court order to act on his application.

Although other governmental agencies have modified their policies to permit employment and security clearances for gays, the CIA has maintained that gays can be targets of blackmail.

The CIA said a response to the suit would reveal secrets.

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